

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/633,231
Filing Date	02 August 2003
First Named Inventor	Coppens
Art Unit	3673
Examiner Name	Safavi
Attorney Docket Number	QFIX-3

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. _____. I have enclosed a duplicate copy of this sheet.
- a. ☐
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Brian A. Gomez</i>	Date	5 October 2006
Name (Print/Type)	Brian A. Gomez	Registration No.	44,718

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	Brian A. Gomez	Date	5 October 2006
Name (Print/Type)	<i>Brian A. Gomez</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY2005 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		Docket Number (Optional) QFIX-3	
Application Number 10/633,231		Filed 2 August 2003	
For Indexina Positioning System For Accurate and Repetitive Positioning of Patients in a Multimodal Environment			
Art Unit 3673		Examiner M. Safavi	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	<u>Fee</u>	<u>Small Entity Fee</u>	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____
<input type="checkbox"/> Two month (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____
<input checked="" type="checkbox"/> Three month (37 CFR 1.17(a)(3))	\$1020	\$510	\$ <u>510.00</u>
<input type="checkbox"/> Four month (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____
<input type="checkbox"/> Five month (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____

☒ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☐ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account Number _____. I have enclosed a duplicate copy of this sheet.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

I am the ☐ applicant / inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/95).

☒ attorney or agent of record. Registration Number 44,718

☐ attorney or agent under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____

Signature

Date

Brian A. Gomez
Typed or printed name

(302) 351-3323
Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of One forms are submitted.

This collection of information is required by 37 CFR 1.36(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF
Daniel D. Coppens, et al.

DOCKET NO.: **QFIX-3 USA**

SERIAL NO.: **10/633,231**

EXAMINER: **M. SAFAVI**

FILED: **02 August 2003**

ART UNIT: **3673**

CONFIRMATION NO.: **2448**

TITLE: **Indexing Positioning System For Accurate and Repetitive Positioning
of Patients in a Multimodal Environment**

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Advisory Action dated July 13, 2006, the following amendment and remarks are submitted for the above-identified application.

Claim Amendments:

1. (withdrawn) A patient support device comprising a top surface, a bottom surface, two sides and at least two sidewalls; wherein the first side contains an integral indexing means and the second side is free of indexing means; and wherein the integral indexing means comprises at least one positioning feature.
2. (withdrawn) A patient support device of Claim 1 wherein the positioning feature is at least one selected from the group consisting of a notch, slat, indentation, cutout, scallop, groove, hole, protrusion, tab, pin and bar.
3. (withdrawn) A patient support device of Claim 1, wherein the top surface extends laterally beyond at least one sidewall, thereby forming a lip.
4. (withdrawn) A patient support device of Claim 1, wherein at least one sidewall is chamfered with respect to the top surface.
5. (withdrawn) A patient support device of Claim 1, wherein at least one sidewall is substantially perpendicular with respect to the top surface.
6. (withdrawn) A patient support device of Claim 1, further comprising at least one accessory device removably secured to at least one positioning feature.
7. (withdrawn) A patient support system comprising;
 - a) a patient support device comprising a top surface, a bottom surface, two sides and at least two sidewalls,
 - b) an integral indexing means comprising at least one positioning feature on a first side,
 - c) a second side that is free of positioning features, and
 - d) at least one accessory device removably secured to at least one positioning feature.
8. (withdrawn) A patient support system of Claim 7, further comprising an accessory device adaptor, wherein the accessory device adaptor is mateably secured to the patient support device using at least one positioning feature on the first side and wherein the at least one accessory device is removably secured to the accessory device adaptor.

9. (withdrawn) A patient support system of Claim 8, wherein the accessory device adaptor provides an accurate and repeatable interface between the patient support device and the at least one accessory device.
10. (withdrawn) A patient support system of Claim 7, wherein the accessory device can be precisely, securely and repeatably attached and removed from the patient support device.
11. (withdrawn) A patient support system of Claim 7, for accurately and repeatably immobilizing a patient for diagnostic imaging or treatment.
12. (canceled)
13. (withdrawn) A patient support surface of Claim 7, wherein the at least one positioning feature on the first side is independently selected from the group consisting of a notch, slat, indentation, cutout, scallop, groove, hole, protrusion, tab, pin and bar.
14. (withdrawn) A patient support system of Claim 8, wherein the accessory device adaptor has two opposing ends and further comprises;
 - a) an attachment feature on the first end of the adaptor for mateably joining the adaptor to the at least one positioning feature on the first side,
 - b) an element on the second end in contact with the second side of the patient support device, and
 - c) an attachment means for mateably joining and securing an accessory device to the accessory device adaptor.
15. (withdrawn) A patient support system of Claim 14, wherein the attachment feature is at least one selected from the group consisting of a clamp, cam lock, interference fit clip, pin, post and bar.
16. (withdrawn) A patient support system of Claim 15, wherein the attachment feature is incorporated into at least one positioning feature.
17. (previously presented) A patient support device comprising a top surface, a bottom surface, two sides, at least two sidewalls and an integral indexing means; wherein the integral indexing means comprises at least one positioning feature on the first side and at least one positioning feature on the second side, wherein the positioning feature on each of the sides is at least one independently selected from the group consisting of a notch, slat, indentation, cutout, scallop, groove, hole, protrusion, tab, pin and bar, and wherein the at least one positioning feature on the first side is asymmetrically spaced from the at least one positioning feature on the second side such that the area directly opposing the at least one positioning feature on the first side and the at least one positioning feature on the second side is free of a positioning feature.

18. (canceled)
19. (original) A patient support device of Claim 17, wherein the top surface extends laterally beyond at least one sidewall, thereby forming a lip.
20. (withdrawn) A patient support device of Claim 17, wherein at least a portion of one sidewall is substantially perpendicular with respect to the top surface.
21. (original) A patient support device of Claim 17, wherein at least a portion of one sidewall of the patient support device is chamfered with respect to the top surface.
22. (original) A patient support device of Claim 17, further comprising at least one accessory device removably secured to at least one positioning feature.
23. (original) A patient support system of Claim 17, further comprising an accessory device adaptor, wherein the accessory device adaptor has two opposing ends and further comprises;
 - a) an attachment feature on the first end of the adaptor for mateably joining the adaptor to the at least one positioning feature on the first side,
 - b) an element on the second end in contact with the second side of the patient support device, and
 - c) an attachment means for mateably joining and securing an accessory device to the accessory device adaptor.
24. (original) A patient support system of Claim 23, wherein the attachment feature is at least one selected from the group consisting of a clamp, cam lock, interference fit clip, pin, post and bar.
25. (previously presented) A patient support device comprising a top surface, a bottom surface, two sides, at least two sidewalls, and an integral indexing means for accurate and repeatable patient positioning, wherein at least two sidewalls are chamfered and wherein the indexing means comprises at least one positioning feature on the first side and at least one positioning feature on the second side, wherein the positioning feature on each of the sides is at least one independently selected from the group consisting of a notch, slot, indentation, cutout, scallop, groove, hole, protrusion, tab, pin and bar, and wherein the at least one positioning feature on the first side is asymmetrically spaced from the at least one positioning feature on the second side such that the area directly opposing the at least one positioning feature on the first side and the at least one positioning feature on the second side is free of a positioning feature.
26. (original) A patient support device of Claim 25, wherein the integral indexing means comprises at least one selected from the group consisting of a notch, slot, indentation, cutout, scallop, groove, hole, protrusion, tab, pin and bar.

27. (canceled)
28. (previously presented) A patient support device of 25, wherein the positioning features on the sides are independently selected from the group consisting of a notch, slat, indentation, cutout, scallop, groove, hole, protrusion, tab, pin and bar.
29. (original) A patient support device of Claim 25, wherein the top surface extends laterally beyond at least one sidewall, thereby forming a lip.
30. (original) A patient support device of Claim 29, wherein the integral indexing means is contained in the lip.
31. (withdrawn) A patient support device of Claim 26, wherein the integral indexing means is contained in the chamfered sidewalls.
32. (withdrawn) A patient support device of Claim 26, wherein the integral indexing means is contained in the chamfered sidewall but does not extend from the top surface to the bottom surface of the device.
33. (original) A patient support device of Claim 25, further comprising at least one accessory device removably secured to at least one positioning feature.
34. (original) A patient support system of Claim 25, further comprising an accessory device adaptor, wherein the accessory device adaptor has two opposing ends and further comprises;
 - a) an attachment feature on the first end of the adaptor for mateably joining the adaptor to the at least one positioning feature on the first side,
 - b) an element on the second end in contact with the second side of the patient support device, and
 - c) an attachment means for mateably joining and securing an accessory device to the accessory device adaptor.
35. (original) A patient support system of Claim 34, wherein the attachment feature is at least one selected from the group consisting of a clamp, cam lock, interference fit clip, pin, post and bar.
36. (withdrawn) A patient support device comprising a top surface, a bottom surface, a first side and a second side, at least two sidewalls and an integral indexing means, wherein the integral indexing means is incorporated into at least one surface of the device and wherein, the integral indexing means is at least one indexing groove and the at least one indexing groove reaches from the first side to the second side.
37. (canceled)

38. (withdrawn) A patient support device of Claim 36, wherein the integral indexing means are multiple indexing grooves and the indexing grooves are placed along the length of the patient support device at defined intervals.
39. (withdrawn) A patient support device comprising a top surface, a bottom surface, two sides, at least two sidewalls and an integral indexing means, wherein the integral indexing means is incorporated into at least one surface of the device; and at least one transverse groove on at least one surface of the support device wherein the transverse groove runs lengthwise along the support device.
40. (withdrawn) A patient support device of Claim 39, wherein the at least one transverse groove is located on the opposite surface from the at least one indexing groove.
41. (currently amended) A patient support device, comprising a top surface, a bottom surface, two sides, at least two sidewalls and an integral indexing means, wherein the integral indexing means is incorporated into at least one surface of the device and the integral indexing means is at least one indexing groove, wherein the indexing groove is a continuous groove that runs the length or width of the device and wherein the top surface of the support device extends laterally beyond at least one sidewall, thereby forming a lip.
42. (previously presented) A patient support device of Claim 41, wherein at least one sidewall of the support device is chamfered with respect to the top surface.
43. (previously presented) A patient support device of Claim 41, further comprising at least one accessory device removably secured to at least one positioning feature.
44. (previously presented) A patient support system of Claim 41, further comprising an accessory device adaptor, wherein the accessory device adaptor is mateably secured to the patient support device using at least one indexing groove on at least one surface and wherein the at least one accessory device is removably secured to the accessory device adaptor.
45. (original) A patient support system of Claim 44, wherein the accessory device adaptor has two opposing ends and a positioning feature and further comprises;
- a) an attachment feature for positioning the adaptor to the at least one indexing groove,
 - b) an element on at least one end in contact with a sidewall of the patient support device, and
 - c) an attachment means for mateably joining and securing an accessory device to the accessory device adaptor.

46. (original) A patient support system of Claim 45, wherein the attachment feature is at least one selected from the group consisting of a clamp, cam lock, interference fit clip, pin, post and bar.
47. (withdrawn) A patient support device of claim 39, wherein the integral indexing means comprises at least one positioning feature and the at least one positioning feature is at least one selected from the group consisting of a notch, slot, indentation, cutout, scallop, groove, hole, protrusion, tab, pin and bar.

REMARKS

In response to the July 13, 2006 Advisory Action, applicant's submit a Request for Continued Examination along with an amendment to claim 41. In addition to the present amendment, please enter applicant's amendment filed July 5, 2006.

Prior amendments and the current amendment to claim 41 should obviate any outstanding rejections.

In view of the above amendments and remarks, Claims 17-19, 21-26, 28-30, 33-35 and 41-46 are considered to represent a novel and unobvious advance in the art. Prompt issuance of a Notice of Allowance for these claims is in order and such action is requested. If any issues remain outstanding, the Examiner is urged to contact the undersigned agent to expedite their resolution.

Respectfully submitted,



Brian A. Gomez
Attorney for Applicants
Registration No. 44,718
Gomez International Patent Office
1501 N. Rodney Street, Suite 101
Wilmington, DE 19806
Telephone: (302) 351-3323
Facsimile: (302) 351-8456
Email: bgomez@gomez-ipo.com

Date: 5 October 2006